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8 Attorney for: Plaintiff Edgar Armendariz

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12 AUG 24 PM 3:33  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 EDGAR ARMENDARIZ, an  
12 Individual;

13 Plaintiff,

14 vs.

15 EQUIFAX INFORMATION  
16 SERVICES LLC, a Corporation;  
17 TRANSUNION LLC a Corporation;  
18 EOS/CCA, a business entity form  
19 unknown,; and DOES 1-10, Inclusive,

20 Defendants.

Case No.: **CV 12-07311** DDP (PLA)

21 **COMPLAINT FOR DAMAGES:**

- 22 1. FAIR CREDIT REPORTING ACT.  
23 2. ROSENTHAL DEBT  
24 COLLECTION PRACTICES ACT.  
25 3. CALIFORNIA CONSUMER  
26 CREDIT REPORTING AGENCIES  
27 ACT  
28 4. FAIR DEBT COLLECTION  
PRACTICES ACT.

**JURY TRIAL DEMANDED.**

Plaintiff alleges:

1. Plaintiff Edgar Armendariz ("Plaintiff") is a resident of County of Los Angeles, State of California.

2. Defendants EQUIFAX INFORMATION SERVICES LLC ("EQUIFAX") and TRANSUNION LLC (TRANSUNION"), are business entities, forms unknown, doing business in the State of California as credit bureaus which

1 receive negative credit information about consumers and which then publish such  
2 information in credit reports available to its subscribers. Collectively, these  
3 defendants will be referred to as "credit bureau defendants" or "credit agency  
4 defendants". EOS/CCA ("EOS") operates as a collection agency which, among  
5 other activities, reports allegedly delinquent debts to credit bureaus and is a  
6 "furnisher" under the Fair Credit Reporting Act.

7 3. Defendants DOES 1-10 are individuals and business entities, form  
8 unknown, doing business in the State of California as credit reporting agencies,  
9 debt collection agencies, creditors or other persons or entities which engage in  
10 credit reporting and/or debt collection. DOES 1-10, Inclusive, includes  
11 individuals or business entities doing business in the State of California as credit  
12 reporting agencies, debt collectors and/or creditors who have refused to delete  
13 accounts of plaintiff that were procured through identity theft, mixed file or other  
14 manner of recording an inaccurate credit account, even after plaintiff has notified  
15 them of the false or inaccurate derogatory, and also who have reported such  
16 accounts as derogatory credit references to credit reporting agencies.

17 4. Plaintiff does not know the true names and capacities, whether corporate,  
18 partnership, associate, individual or otherwise of Defendants sued herein as Does  
19 1 through 10, inclusive, under the provisions of Section 474 of the California  
20 Code of Civil Procedure. Plaintiff is informed and believes and on that basis  
21 alleges that Defendants Does 1 through 10, inclusive, are in some manner  
22 responsible for the acts, occurrences and transactions as officers, directors or  
23 managing agents of Defendants or as its agents, servants, employees and/or joint  
24 venturers and as set forth in this complaint, and that each of them are legally liable  
25 to Plaintiff, as set forth below and herein:

26 a) Said Officers, directors or managing agents of Defendants personally  
27 acted willfully with respect to the matters alleged in this complaint;  
28

1           b) Said officers, directors or managing agents of Defendants personally  
2 authorized, approved of, adopted and/or ratified the acts alleged herein or the  
3 agents, servants, employees and/or joint venturers of Defendants did so act;

4           c) Said officers, directors or managing agents of Defendants personally  
5 participated in the acts alleged herein of Defendants;

6           d) Said Officers, directors or managing agents of Defendants personally had  
7 close supervision of their agents, servants, employees and/or joint venturers of  
8 Defendants;

9           e) Said Officers, directors or managing agents of Defendants personally  
10 were familiar with the facts regarding the matters alleged herein;

11           f) Said Officers, directors or managing agents of Defendants personally  
12 failed to investigate the circumstances appertaining to the acts alleged herein.  
13 They also failed and refused to repudiate the herein alleged actions and failed to  
14 redress the harm done to Plaintiffs. Further, said Officers, directors, or managing  
15 agents of Defendants failed and refused to punish or discharge the said agents,  
16 servants, employees and/or joint venturers of Defendants, even after learning of  
17 the acts of the agents, servants, employees and/or joint venturers of Defendants.  
18 Plaintiffs will seek leave to amend this complaint to set forth the true names and  
19 capacities of said fictitiously named Defendants as enumerated above, together  
20 with appropriate charging allegations, when learned.

21           5. Plaintiff is informed and believes, and thereon allege that at all relevant  
22 times herein each Defendant, whether actually or fictitiously named, was the  
23 principal, joint venturer, agent, servant or employee of each other Defendant, and  
24 in acting as such within the course, scope and authority of such relationship, took  
25 some part in the acts and omissions hereinafter set forth, by reason of which each  
26 Defendant is liable to Plaintiff for the relief prayed for in this complaint, and any  
27 future amended complaint. Further, Plaintiff alleges that each act alleged herein,  
28

1 whether by a named Defendants or fictitiously named Defendants or otherwise,  
2 was expressly authorized or ratified, as these terms are used in California Civil  
3 Code Section 3294(b), by each and every other Defendant herein, whether named  
4 or fictitiously named.

5  
6 **FIRST CAUSE OF ACTION**  
7 **[VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
8 **AGAINST ALL DEFENDANTS]**

9 6. Plaintiff re-alleges and incorporates all preceding paragraphs as though  
10 set forth in full in this cause of action.

11 7. Plaintiff is a consumer as this term is defined by 15 U.S.C. Sec. 1681a(c)  
12 of the Fair Credit Reporting Act. All defendants are "furnishers" as defined by 15  
13 U.S.C. 1681s-2 of the Fair Credit Reporting Act, except, EQUIFAX and and  
14 TRANSUNION, the credit bureau defendants who are "consumer reporting  
15 agencies" as that term is defined in 15 U.S.C. Section 1681a (f).

16 8. On or about December 12, 2006, Plaintiff received his Temporary Change  
17 of Station (TCS) orders from the Department of the Army. As an active duty  
18 soldier, Plaintiff's new station would be in Afghanistan for a period of 365 days  
19 starting January 13, 2007.

20 9. On or about early January 2007, in preparation for his deployment,  
21 Plaintiff visited the AT&T Mobility store in Lakewood Washington to cancel his  
22 AT&T Mobility service plan, since the Army would be supplying him with a  
23 government pre-paid phone for the year he spent in Afghanistan. Plaintiff  
24 provided the AT&T representative with a copy of his deployment documents from  
25 the Department of the Army proving he would be in Afghanistan until January  
26 2008. The AT&T representative reviewed and accepted Plaintiff's Deployment  
27 Orders and verbally confirmed that his account was cancelled.

1        10. On or about May 2010, while applying for a security clearance, Plaintiff  
2 discovered that EOS was reporting a collection account on his credit profile.  
3 Plaintiff did not immediately recognize the EOS collection but after some research  
4 discovered that it originated from AT&T Mobility and tried calling AT&T but was  
5 told they no longer had access to his file.

6        11. On or about November 17, 2011, Plaintiff received a TRANSUNION  
7 Employment Credit Report, which indicated that the EOS account was placed for  
8 collection activity as of April 4, 2010.

9        12. On or about May 29, 2012, Plaintiff sent a dispute letter to EOS  
10 explaining that he cancelled his AT&T Mobility account in early January of 2007  
11 and did not owe any money on that account. He requested that EOS provide him  
12 with dates, times, phone usage, past due bills etc. proving that he was responsible  
13 for this account. Plaintiff also provided copies of his deployment orders as proof  
14 that he was not in the country during the time the AT&T debt was incurred.  
15 Plaintiff sent this letter certified return receipt requested and received proof that  
16 EOS received his letter on June 6, 2012. Plaintiff has yet to receive a response  
17 from EOS.

18        13. On or about July 9, 2012, Plaintiff obtained a Creditcheck Monitoring  
19 report indicating that EQUIFAX and TRANSUNION were reporting the  
20 derogatory EOS collection account.

21        14. On or about July 13, 2012, Plaintiff sent a dispute letter to EQUIFAX  
22 and to TRANSUNION explaining that he did not incur the AT&T debt from  
23 which the EOS debt originated. Plaintiff also sent copies of his deployment orders  
24 as proof that he was not in the country when the AT&T debt was incurred.  
25 Plaintiff also supplied his soldier's Deployment History Report, and a copy of the  
26 dispute letter he sent to EOS dated May 29, 2012.

27        15. On or about July 20, 2012, EQUIFAX supplied a credit report verifying  
28

1 the EOS debt. This report indicated that it was first reported as delinquent on July  
2 2007.

3 16. On or about July 24, 2012, TRANSUNION responded to Plaintiff's  
4 dispute letter indicating that the information Plaintiff disputed was not currently  
5 appearing on Plaintiff's credit report. When Plaintiff tried to confirm that the EOS  
6 collection did not appear on his credit report he found that it was still appearing.

7 17. On or about July 30, 2012, Plaintiff contacted TRANSUNION and  
8 spoke to Customer Service Representative, Clara Brown who confirmed the EOS  
9 collection account and instructed him to dispute the EOS account on-line, which  
10 he did.

11 18. On or about August 8, 2012, Plaintiff received a CreditCheck  
12 Monitoring credit report indicating that EQUIFAX and TRANSUNION were still  
13 reporting the EOS collection account.

14 19. Plaintiff has been damaged by being denied a security clearance,  
15 employment opportunities with the LAPD and credit and home loans.

16 20. Defendants, EQUIFAX, TRANSUNION and EOS have refused, despite  
17 Plaintiff's phone calls and letters to acknowledge that he was not responsible for  
18 the EOS account.

19 21. Plaintiff sent correspondence to EQUIFAX, TRANSUNION, Experian  
20 and EOS asking that they reinvestigate his account cease any negative credit  
21 reporting and remove his account from collection activity. Only non-party  
22 Experian complied with plaintiff's request to cease the derogatory credit reporting.  
23 On information and belief, one or more of the credit bureaus sent dispute notices  
24 to EOS, thereby activating EOS'S' obligations to plaintiff under 15 U.S.C. Section  
25 1681s-2 (b) of the Fair Credit Reporting Act. However, in spite of being given the  
26 opportunity to reasonably investigate and correct the false credit reporting, the  
27 defendants herein refused to do so.



1        22. Plaintiff complied with all requests of each of the Defendants to  
2 provide information in order to have the erroneous marks removed from her credit  
3 reports. Despite the insistence of Plaintiff, the Defendants, and each of them,  
4 failed to correct the errors and failed to undertake sufficient investigations upon  
5 being notified of the errors.

6        23. Within the past two years, Defendants, and each of them, willfully  
7 violated the provisions of the Fair Credit Reporting Act in *at least* the following  
8 respects:

9        a. By willfully and negligently failing, in the preparation of the consumer  
10 report concerning Plaintiff, to follow reasonable procedures to assure maximum  
11 possible accuracy of the information in the report;

12        b. By willfully and negligently failing to correct, after receiving ample  
13 notice, information about the Plaintiff which defendants knew, or should have  
14 known, was incomplete and/or inaccurate; and,

15        c. By willfully and negligently failing to correct and/or delete the  
16 incomplete and inaccurate information in Plaintiff's file after conducting an  
17 investigation.

18        d. By willfully and negligently failing to conduct an adequate investigation  
19 of Plaintiff's complaints, and by willfully and negligently failing to implement  
20 corrective actions once the outcome of such investigations were known, or should  
21 have been known, to the defendants.

22        24. As a proximate result of the actions of the Defendants, and each of  
23 them, Plaintiff has been damaged in an amount which will be proven at time of  
24 trial. As provided under the cited law, Plaintiff is entitled to actual damages, pain  
25 and suffering, punitive damages, penalties, costs and attorney fees.

26        25. Plaintiff alleges that defendants, and each of them, have willfully  
27 violated FCRA with respect to Plaintiff and towards others similarly situated.  
28

Specifically, defendants deliberately have inefficient procedures for correcting their credit files, because they know that a certain number of consumers will either be intimidated or too frustrated to continuously fight back against the constant onslaught of collection activities for invalid debts. Defendants, and each of them, know that a certain number of consumers would rather pay than fight, even if the debt is not actually owed. These defendants have also specifically violated the provisions of FCRA designed to protect identity theft victims. These defendants know that their systems intimidate consumers so they'll pay debts even if not valid or not completely valid. These facts were not disclosed to the Plaintiff and are not disclosed to the borrowing public at large.

**SECOND CAUSE OF ACTION**  
**VIOLATION OF CALIFORNIA ROSENTHAL ACT**  
**AGAINST EOS**  
**AND DOES 1-10, INCLUSIVE.**

26. Plaintiff incorporates all preceding paragraphs as though alleged in full in this cause of action.

27. In continuing debt collection activities after the point where plaintiff notified defendants of the identity theft situation, and after he provided them with a proof that he was not in the country during the time the AT&T Mobility debt incurred because he was in Afghanistan, defendants EOS and DOES 1-10, Inclusive, willfully and knowingly violated the California Rosenthal Act. Specifically, defendant EOS and DOES 1-10, Inclusive, continued debt collection activities and procedures on a legally invalid debt and refused to take the necessary steps to confirm for themselves that the debt was not legally valid. Under Civ. Code Section 1788.17, the requirements of the federal FDCPA are incorporated into the Rosenthal Act, and defendants EOS and DOES 1-10,



1 Inclusive, have specifically violated the following provisions of FDCPA as  
2 incorporated by Rosenthal:

- 3 i. 15 U.S.C. Section 1692e (2): false representations about the  
4 character, amount or legal status of the debt;
- 5 ii. 15 U.S.C. Section 1692e (5): threats to take legal action that  
6 could not be taken; and,
- 7 iii. 15 U.S.C. Section 1692f (1): the collection of any amount not  
8 permitted by law to be collected.

9  
10 28. Plaintiff has suffered actual damages, including general, special,  
11 incidental and consequential damages, and is also entitled to attorney's fees and  
12 costs under the Rosenthal Act.

13  
14 **THIRD CAUSE OF ACTION**  
15 **VIOLATION OF THE CALIFORNIA CONSUMER CREDIT**  
16 **REPORTING AGENCIES ACT AGAINST**  
17 **EOS AND DOES 1-10, INCLUSIVE.**

18 29. Plaintiff incorporates all preceding paragraphs as though alleged in full  
19 in this cause of action.

20 30. Within two years prior to the filing of the complaint in this action,  
21 defendants EOS and DOES 1-10, Inclusive, both willfully and negligently violated  
22 the California Consumer Credit Reporting Agencies Act in at least the following  
23 ways:

24 31. By willfully and negligently furnishing to credit reporting agencies  
25 information about the Plaintiff which Defendants EOS and DOES 1-10, Inclusive  
26 knew, or should have known, was incomplete or inaccurate.

27 32. Each of the Defendants EOS and DOES 1-10, Inclusive willfully and  
28

1 negligently failed in their obligations to reinvestigate and correct the derogatory  
2 marks in Plaintiff's credit reports. Plaintiff alleges that each of the Defendants  
3 EOS and DOES 1-10, Inclusive' policies and practices hinder and obstruct  
4 adequate and meaningful reinvestigations, and that each defendant knows of this  
5 effect of its policies and practices.

6 33. As a proximate result of the willful and negligent actions of the  
7 Defendants EOS and DOES 1-10, Inclusive, and each of them, Plaintiff has  
8 suffered both general and special damages in an amount which will be proven at  
9 time of trial. As provided under the cited laws, Plaintiff is entitled to actual  
10 damages, loss of wages, damage to credit reputation, pain and suffering, costs and  
11 attorney fees. Plaintiff is also entitled to punitive damages and statutory penalties  
12 for willful violations of the California Consumer Credit Reporting Agencies Act.

#### 13 14 **FOURTH CAUSE OF ACTION**

##### 15 [VIOLATION OF FAIR DEBT COLLECTION

##### 16 PRACTICES ACT AGAINST EOS AND DOES 1-10]

17 34. Plaintiff incorporates all preceding paragraphs as though alleged in full  
18 in this cause of action.

19 35. Plaintiff is a "consumer" as that term is defined by 15 U.S.C. Section  
20 1692a (3). Defendants EOS and DOES 1-10, Inclusive, are "debt collectors" as  
21 that term is defined by 15 U.S.C. Section 1692a (6).

22 36. In committing the acts against plaintiff as alleged above, defendants  
23 EOS and DOES 1-10, Inclusive, have violated at least 15 U.S.C. Section 1692e (8)  
24 of the Fair Debt Collection Practices Act, which prohibits "Communicating or  
25 threatening to communicate to any person credit information which is known or  
26 which should be known to be false, including the failure to communicate that a  
27 disputed debt is disputed." Plaintiff also alleges that defendant EOS and DOES 1-  
28

1 10, Inclusive, violated the FDCPA by continuing debt collection activities and  
2 procedures after having ample notice that the debt was not legally valid. Plaintiff  
3 specifically incorporates preceding paragraph 27 into this cause of action for a  
4 listing of the current FDCPA violations known at this time. Plaintiff reserves the  
5 right to allege other violations of the FDCPA as the facts of the case unfold.

6 37. As a consequence of such violations, plaintiff has sustained special and  
7 general damages according to proof. In addition, plaintiff is entitled to additional  
8 damages of \$1000.00 per violation of the FDCPA, plus attorney's fees and costs  
9 as determined by the court.

10  
11 WHEREFORE, Plaintiff prays for judgment as follows:

- 12 1. For general and special damages according to proof at trial;  
13 2. For statutory penalties for each separate statutory violation where  
14 allowed by statute;  
15 3. For punitive damages against defendants according to proof at trial and  
16 using the applicable punitive damages standards from the involved statutes;  
17 4. For attorney's fees where authorized by statute or law;  
18 5. For costs of suit;  
19 6. For such other relief as the court deems just and proper.

20  
21 **PLAINTIFF DEMANDS A JURY TRIAL**

22  
23 Dated: August 24 2012

**ROBERT F. BRENNAN, A P.C.**

24  
25 By: 

Robert F. Brennan

26 Attorneys for Plaintiff  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Dean D. Pregerson and the assigned discovery Magistrate Judge is Paul Abrams.

The case number on all documents filed with the Court should read as follows:

**CV12- 7311 DDP (PLA~~x~~)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

## Name &amp; Address:

Robert F. Brennan, Esq. SBN 132449  
 LAW OFFICES OF ROBERT F. BRENNAN, A P.C.  
 3150 Montrose Ave.  
 La Crescenta, CA 91214  
 Tel: 818-249-5291

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

EDGAR ARMENDARIZ, an Individual

CASE NUMBER

PLAINTIFF(S)

v.

CV12-07311 DDP(PLA)

EQUIFAX INFORMATION SERVICES LLC, a Corporation;  
 TRANSUNION LLC a Corporation; EOS/CCA, a business  
 entity form unknown;, and DOES 1-10, Inclusive,  
 DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Robert F. Brennan, whose address is 3150 Montrose Ave. La Crescenta, CA 91214. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

AUG 24 2012

Dated: \_\_\_\_\_

Clerk, U.S. District Court

By: \_\_\_\_\_

JULIE PRADO

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> Edgar Armendariz, an Individual  Los Angeles County		<b>DEFENDANTS</b> Equifax Information Services, LLC., a Corporation; TransUnion LLC., a Corporation; EOS/CCA, a business entity form unknown, and DOES 1-10, Inclusive  Atlanta, Georgia	
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Robert F. Brennan, Esq. SB # 132449 LAW OFFICES OF ROBERT F. BRENNAN 3150 Montrose Ave. La Crescenta, CA 91214, tel # 818-249-5291		<b>Attorneys (If Known)</b>	

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:40%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF DEF</td> <td style="width:40%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; text-align: center;">PTF DEF</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/> 1   <input type="checkbox"/> 1</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 4   <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2   <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5   <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3   <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6   <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF DEF	Incorporated or Principal Place of Business in this State	PTF DEF		<input type="checkbox"/> 1 <input type="checkbox"/> 1		<input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State	PTF DEF	Incorporated or Principal Place of Business in this State	PTF DEF														
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Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5														
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6														

**IV. ORIGIN** (Place an X in one box only.)  
☒ 1 Original Proceeding   
 ☐ 2 Removed from State Court   
 ☐ 3 Remanded from Appellate Court   
 ☐ 4 Reinstated or Reopened   
 ☐ 5 Transferred from another district (specify):   
 ☐ 6 Multi-District Litigation   
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** JURY DEMAND: ☒ Yes   ☐ No (Check 'Yes' only if demanded in complaint.)  
**CLASS ACTION** under F.R.C.P. 23: ☐ Yes   ☒ No      **MONEY DEMANDED IN COMPLAINT:** \$ 300,000

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Fair Credit Reporting Act 15 U.S.C. Sec 1681

**VII. NATURE OF SUIT** (Place an X in one box only.)

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number:

CV12-07311

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Georgia	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved.**

**X. SIGNATURE OF ATTORNEY (OR PRO PER):** \_\_\_\_\_ **Date** August 24, 2012

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))